



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.12.2015

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

Cr1.O.P (MD) No. 24296 of 2015

M. Jothi : Petitioner/Accused No.2

Vs.

State represented by
The Inspector of Police,
Gudavasal Police Station,
Thiruvarur District.
(Crime No.427 of 2015).

: Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District to consider the bail application of the petitioner on the same day of surrender on merits and in accordance with law in respect of Crime No.427 of 2015 on the file of the respondent police.

For Petitioner : Mr.S.J.Chakkaravarthy
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Cr1.Side).

ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 294(b), 352 and 506(ii) IPC and Section 3(1)(s), 3(2) (Va) of SC/ST Prevention of Atrocities Act, in Crime No.427 of 2015, on the file of the respondent police, moved this petition seeking a direction to the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District, to accept the surrender of the petitioner and consider the bail application on the same day on merits.

2.I have heard the learned counsel appearing on either side and perused the records.

3.The learned Government Advocate (Criminal side) strongly opposed the relief sought for by the petitioner.

4.A cursory look at the offences would reveal that some of the offences are grave in nature, including the one registered under the Special Enactment. Therefore, it is for the Trial Court to consider as to whether initial detention of the petitioner is absolute and warranted on his surrender before it.



5. Therefore, the I Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District is directed to accept the surrender of the petitioner and consider his bail application on the very same day, purely on merits and in accordance with law.

WEB COPY

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar (CS)
Madurai Bench of Madras High Court,
Madurai.

RR

To

1. The I Additional District and Sessions Judge (PCR Court),
Thanjavur, Thanjavur District

2. The Inspector of Police,
Kudavasal Police Station,
Thiruvarur District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr. S. J. Chakkaravarthy, Advocate Sr No. 45534

ORDER MADE IN
Crl.O.P (MD) No. 24296 of 2015
19.12.2015

rg.JGB-DP/SAR-I 22.12.2015 2P/5C